THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 13616 of 2006

06-07-2006

Between:-

Athili Appala Swamy

Petitioner

And

The Commissioner of Police, Visakhapatnam and two others.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 13616 of 2006

Oral order:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home and with their consent, the writ petition is disposed of at the stage of admission.

If the respondent Nos. 1 and 2, at the instance of the 3rd respondent, are interfering with the petitioner's entitlement, possession and enjoyment of the property in survey Nos. 30/1 and 30/2, Kaprada village, Vishakapatnam, as is alleged in the writ petition, the petitioner has an effective alternative remedy of moving the civil court of competent jurisdiction for seeking an injunctive relief including against the respondent Nos. 1

and 2 and the 3rd respondent as well, restraining them from interfering with his property. Insofar as respondent Nos. 1 and 2 are concerned, the petitioner can approach the civil court to prohibit them from interfering except in accordance with due process of law.

For the aforesaid reasons, the writ petition is dismissed granting the petitioner liberty to approach the civil court of competent jurisdiction. No costs.

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GODA RAGHURAM, J

Dated:06-07-2006
Pvks/*
Nb:- Furnish c.c. by tomorrow.
B/o pvks/*